App. F. IX-4

1926.

File No. 26-26

Previous References (LB)

Serial Nos. 55

Later References
LR 460-26-1 to 2
LB. 49—41—1.2.3.4.

General and Revenue Secretariat.

Serial Nos.

Part B for Feb 27.

SUBJECT

Draft Rules under the District Boards Regulation in regard to Conduct of Conservancy,

55 To, The Compiler, Mysore Gazette
No. L 5470/26 6.2.27

Notifies the ~~Draft~~ Rules required to above

31.5.27.

L.B 25—26

3594

1927

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not ... ment record.]

Draft rules under the Mysore District Boards' Regulation in regard to

(1) conduct of business
(2) resolutions
(3) execution of public works
(4) transfer of properties
(5) bye-laws
(6) form of notice of demand
(7) form of warrant
(8) remuneration and allowances

are submitted for approval.

DS
31/1127

I members)

-30
1/2

vide remarks made
-2/2

8204
2/2

Approved
2/2

8/2/2.

Confirmed

2/2

Memo Sept
initials before issue

28/2

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

Ed.
22/5

G.R.S. III—3]

Routine Notes.

[To be used on ~~...~~ ...itions, etc., not intended for permanent record.]

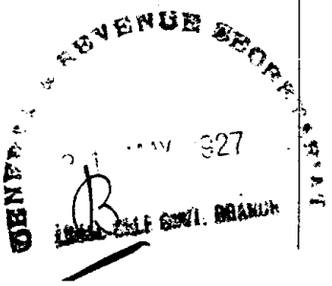
2

App. F. III—2]

General and Revenue Secretariat. | LB File No. 25 of 1926

Serial No. 55

To the Compiler, Mysore Gazette,
No L1470 dt 5.2.27.
Notifies the rules under the Dist Boards Regulation re - Conduct of business, etc.



L 2469/ Lbb 25-26-53-13

Notification dt 5th Feb 1927

In supersession of the rules in force on the subject and in exercise of the powers conferred by Sections 29 (1), 30 (3) 39, 42, 57, 80, 81 and 100 of the Mysore - District Boards' Regulation, 1926, and all other powers in this behalf, the following rules are made by the Government:-

1. Language of proceedings and minutes. ~~Conduct of business~~

The business at meetings of the Dt. Bd. shall be conducted either in English or in Kannada provided that, if the proceedings are conducted in English and if any of the members present do not understand English, it shall be the duty of the President to -- have the subject matter explained to him in Kannada. The minutes of the proceedings shall be recorded in English.

2. Suggestions from Govt. etc., to be considered at the next meeting.

When any suggestion in writing regarding any matter is received by the District Board from the Govt. or ~~one or more~~ from any of the following officers, namely, the Deputy Comm^r of the District, the Head of any Department of Govt., the District Inspector of Education, the District Medical Officer, and the Executive Engineer, it should be placed -- before the next meeting of the Board and -- fully considered and a resolution thereupon shall be recorded and a copy thereof shall be sent to the officer concerned for his -- information.

3. Circulars, rules and orders of Govt. to be considered.

All circulars, rules and orders concerning the work of the Board which may be issued by the Govt. shall be placed before the Board at the quarterly meeting held -- next after their receipt and the resolution of the Board thereon shall be duly recorded in the Proceedings.

4. Economic Committee.

The District Economic Superintendent shall be a member of the Economic Committee

5. Attendance register.

An attendance register shall be -- maintained in the office of District Board in form appended below :-

Attendance Register of members of the District Board.

Date of meeting.	Signature in full of members attending.	Amount of travelling allowance.	Date on which passed by - the President.	Initials of the President.	Date of payment.
		Rs. As. Ps.			

A separate page should be set apart in this register for each meeting and every member attending it should be required to sign it before leaving the meeting. The President of the meeting should record in words under his signature, the total number of members actually present at the meeting. Presidents when countersigning travelling allowance bills of members should satisfy themselves

either by a reference to the register or by the certificate of the Vice-President that the bill has been checked with the register that the members concerned actually attended the meeting and that the amount of travelling allowance has not been passed for payment already. The register should be initialled by the President or the Vice-President as the case may be.

~~5.~~ Resolutions.

6 (1) ~~(1)~~ ~~xxx~~ Every resolution of the District Board under Section 30 (3) of the Regulation ~~xxxx~~ shall be —

(a) ~~in~~ in the form of a specific recommendation addressed to the Govt,

(b) shall be clearly and precisely expressed and shall raise a definite issue,

(c) ~~and~~ ~~should~~ shall not contain arguments, inferences ironical expressions, ~~or comments or remarks~~ defamatory statements

and (d) ~~reflecting on the work of any Govt. Officer in his~~ shall not refer to the conduct or character of persons except in their official or public capacity,

(e) shall not contain any comments on the policy of Govt. or on any measure sanctioned by the Govt,

(f) shall not refer to any matter which should form the subject of a petition in the usual course prescribed by law which may be disposed of by a Govt. Officer, a Judge or the Govt. in exercise of his or their powers.

(2) ~~(1)~~ ~~their powers, Provided that~~ No resolution shall be submitted in regard to any of the following matters, namely,

(a) a matter under adjudication by a Court of law having jurisdiction in any part of Mysore,

Wherein the instances form part?

Adopt R.A. rules

Necessary alterations have been made

25/2/27

(b) a measure relating to or affecting

(1) the Ruling Family of Mysore

(2) the relations of His Highness the Maharaja with the Paramount Power or with foreign Princes of States

(3) ~~all~~ matters governed by treaties or conventions or agreements now in force or hereafter to be made by His Highness the Maharaja with the Paramount Power, or

(4) such other matters as may, from time to time, be specially excluded by order of the Govt.

7. Every resolution shall be submitted after discussion at a quarterly meeting of the District Board and not more than 3 such resolutions shall be considered at a meeting

8. A member who wishes to move a resolution shall give notice in writing to the President at least 21 clear days before the meeting of the Board at which he desires to move the same and shall together with the notice submit a copy of the resolution which he wishes to move.

9. The President shall place before the Board every resolution of which notice has been given to him in accordance with rule 8. The Board may select the resolutions to be considered at the meeting and every resolution not considered at the meeting shall be deemed to have lapsed.

Execution of Public Works.

~~10. Public works to be executed by contract~~.

10. All public works should as far as possible be carried out by contract.

~~11. Plans and estimates.~~

11. No work shall be undertaken until -- plans and estimates have been prepared and sanction obtained from the proper authority and no work shall be commenced in any year unless provision is made for it in the -- sanctioned budget of the year except in cases of ~~months~~ works whose cost does not exceed Rs.250/-.

12. The District Board may sanction estimates for all repair works, and for all original works not exceeding Rs.5,000/- provided that

(a) in the case of original works exceeding Rs.500/- but not exceeding Rs.2500/-, the Engineer, if any, employed by the Board or the Executive Engineer of the District shall have scrutinised the estimate and

(b) in the case of original works exceeding Rs.2500/- the estimate shall have been scrutinised by the Chief Engineer.

13. The District Board shall submit, in duplicate, the plans and estimates for original works costing more than Rs.500/- to Govt. for sanction, through the Chief Engineer.

14. ~~Within the limits prescribed by~~ Notwithstanding anything contained in Rules 13, ~~and 15~~ excess expenditure up to -- a limit of 5% under each item of the ~~total~~ estimate or under the total amount of the estimate may be incurred by the District Board.

15. To facilitate the preparation of estimates, a schedule of rates for each kind of work commonly executed shall be kept in the office of the District Board and the --

schedule should be passed at a meeting of the District Board and kept by the Board corrected up-to date. The scheduled rates should not exceed the rates prescribed from time to time by the Public Works Department for the District

16. A revised estimate shall be prepared and submitted for the sanction of the competent authority when there is a likelihood of the original estimate being exceeded either from the rates being found insufficient or for any other cause whatsoever. ~~Provided~~ Provided that in cases where the excess is within a limit of 5 per cent referred to in rule 14, the preparation of a revised estimate is not necessary ~~and the excess~~ expenditure shall be admitted in audit under the ~~sanction~~ of the authority competent to ~~sanction~~ the revised estimate in such cases

17. Works for which estimates have been sanctioned in one year may be carried out in the following year without further sanction.

18. The sanction accorded to any estimate for any work shall lapse if the work is not commenced within 2 years from the date of sanction.

~~19. Recovery of charges for supervision and tools and plant in respect of works carried out by the Public Works Department.~~

19. For District Fund works carried out by the P.W.D, charges for supervision and tools and plant shall be recovered from the District

Boards concerned at the following rates:-

1. For supervision - 17½% on the outlay on the work.

2. For tools and plant - ½% on the - work.

Transfer of properties

20. Every transfer of immovable property vested in a Board shall be made by an ~~instrument~~ instrument under the common seal, signed by the President and by two of the members of the Board, and the fact that the transfer is signed with the sanction of the Government shall be distinctly expressed.

Contracts

21. Before any contract for the supply of materials or for the execution of any works, the cost of which is estimated to exceed Rs.1000/- is entered into by the District Board, tenders shall be publicly invited by advertisement in at least one of the local newspapers, if any, and in such other manner as the Board thinks fit, from persons willing to enter into such contract.

22. The District Board shall not bind itself, and shall not be bound, to accept the lowest of any tenders.

Bye-laws

23. Every draft bye-law together with a notice specifying that the draft will be taken into consideration on or after a specified date which shall not be within a period of 45 days from the date of the notice, shall be publishedin English and Kannada in the Mysore Gazette and a copy thereof shall be affixed in the District board office and in the Taluk and Sub-taluk

offices and in the District and in such other places as shall in the opinion of the Board be sufficient, for the information of persons likely to be affected thereby.

24. The District Board shall receive and consider any objection or suggestion with respect to the draft which may be made in writing by any person before the date so specified.

25. Every draft of the bye-law shall, when it is submitted to Govt., be accompanied by a copy of the notice published and of every objection or suggestion received under rule ~~23~~ 24 along with a statement showing fully the grounds on which it is proposed and the evil which it is intended to remedy.

26. The Govt. may sanction any such bye-law with such modifications may be deemed fit.

27. The Govt. may at any time cancel or withdraw the sanction to any bye-law and thereupon the bye-law shall cease to have effect.

28. As soon as a bye-law is sanctioned it shall be published in the manner prescribed in rule 23 and the bye-laws for the time being in force shall be kept open for public inspection at the District Board office during office hours and printed copies thereof in Kannada and English shall be kept for sale at cost price.

11

Form of notice of demand.

29. Every notice under Secn. 80 shall be in the form given below:-

Form of notice of Demand.

To

A.B., - - - - - - - residing at

Take notice that the District ~~on behalf of~~ Board of - - - - - demands from you ~~the District Board of~~

the sum of ....

~~on~~ account of

(Here describe the property or other subject in respect ~~of~~ of which and the period for which the amount is leviable)

and that if, within fifteen days from the service of this notice, the said sum is not paid into the ..... office or sufficient cause for non-payment is not shown to the satisfaction of the ~~District Board~~, a warrant of distress wil be issued for the recovery of the same -- with cost.

Dated this day of 19

Designation.

12

Form of warrant.

30. Every warrant under Secn. 81 shall be in the form given below:-

Form of warrant.

(Here insert the name of the officer charged with the execution of the warrant

Whereas A.B. of has not paid, and has not shown satisfactory cause for the non-payment of, the sum of ..... due on account of the items and periods mentioned in the margin, ~~mentioned in the margin~~,

And whereas fifteen days have elapsed since the service on him of notice of demand for the same;

This is to command you to distrain, subject to the provisions of section 82 to 84 of the Mysore District Boards' Regulation, the goods and chattels of the said A.B. to the amount of - - - - - - - - - , being the amount due from him, as follows:-

Rs As P

On account of .....

For service of notice .....

and forthwith to certify to me together with this warrant all particulars of the goods seized by you thereunder

Dated this day of 19

Designation.

Remuneration and allowances.

30. No member of a District Board shall be entitl to any salary by virtue of his office.

31. The District Board may grant such monthly conveyance allowance as may be fixed by the Board with the sanction of the Govt.

(a) not exceeding Rs.100/- to a non-official President.

(b) not exceeding Rs.50/- to a non-official Vice-President, if any, when the Board has not appointed a Chief Officer under Section 88 of the Regulation.

32. Officers and servants of a District Board who are in receipt of regular salary will be entitled to travelling allowance at rates fixed in the Mysore Service Regulation for officers of corresponding grade in the Govt. service.

34. Subject to provisions of rules 35 to 37, non-official Presidents and Vice-Presidents and other non-official members of the District Boards or committees shall be entitled to receive from the District Fund, travelling allowances at rates not exceeding those specified below:-

Non-official President of Vice-President	Daily allowance.	Rs.4 a day.
	Journey by road.	As.6 per mile
	Journey by Railway.	One and a half times the 1st class fare.
Other non-official members.	Daily allowance	Re.1-0-0 a day
	Journey by road.	0-4-0 a mile
	Journey by Railway	Double 2nd class fare

35. No travelling allowance is admissible to a President or Vice-President for ordinarily attending the District Board -- office at the District Headquarters.

36. No travelling allowance is admissible to any member who does not travel -- more than 5 miles from and to his place of residence.

37. No daily allowance can be claimed for the day on which travelling allowance for journeys by road or railway are claimed

By Order,

DS 31/1/27

Secy. to Govt.,
Local & Legislative Depts.

To

The Compiler, Mysore Gazette, for publication in the Mysore Gazette, and supply of copies to the Secretariat and copies to the Deputy Commrs. of Districts.

No L 5483-70 of 5-2-27 The Presidts of Dists

NOTIFICATION.

No. L. 5470—*L. B.* 25-26-55, *dated 5th February* 1927.

In supersession of the rules in force on the subject and in exercise of the powers conferred by Sections 29 (1), 30 (3), 39, 42, 57 80, 81, 100 of the Mysore District Boards' Regulation, 1926, and all other powers in this behalf, the following rules are made by the Government :—

CONDUCT OF BUSINESS.

1. *Language of proceedings and minutes.*—The business at meetings of the District Board shall be conducted either in English or in Kannada provided that if the proceedings are conducted in English and if any of the members present do not understand English, it shall be the duty of the President to have the subject matter explained to him in Kannada. The minutes of the proceedings shall be recorded in English.

2. *Suggestions from Government, etc., to be considered at the next meeting.*—When any suggestion in writing regarding any matter is received by the District Board from the Government or from any of the following officers, namely, the Deputy Commissioner of the District, the Head of any Department of Government, the District Inspector of Education, the District Medical Officer, and the Executive Engineer, it should be placed before the next meeting of the Board and fully considered and a resolution thereupon shall be recorded and a copy thereof shall be sent to the officer concerned for his information.

3. *Circulars, rules and orders of Government to be considered.*—All circulars, rules and orders concerning the work of the Board which may be issued by the Government shall be placed before the Board at the quarterly meeting held next after their receipt and the resolution of the Board thereon shall be duly recorded in the proceedings.

4. *Economic Committee.*—The District Economic Superintendent shall be a member of the Economic Committee.

5. *Attendance Register.*—An attendance register shall be maintained in the office of the District Board in form appended below :—

Attendance Register of members of the District Board.

Date of meeting	Signature in full of members attending	Amount of travelling allowance	Date on which passed by the President	Initials of the President	Dateofpayment
		Rs. a. p.			

A separate page should be set apart in the register for each meeting and every member attending it should be required to sign it before leaving the meeting. The President of the meeting should record in words under his signature, the total number of members actually present at the meeting. Presidents when countersigning travelling allowance bills of members should satisfy themselves either by a reference to the register or by the certificate of the Vice-President that the bill has been checked with the register, that the members concerned actually attended the meeting and that the amount of travelling allowance has not been passed for payment already.

6. *Resolution.*—

(1) Every resolution of the District Board under Section 30 (3) of the Regulation shall be;

(*a*) in the form of a specific recommendation addressed to the Government;

(*b*) shall be clearly and precisely expressed and shall raise a definite issue;

(*c*) shall not contain arguments, inferences, ironical expressions, defamatory statements; and

(*d*) shall not refer to the conduct or character of persons except in their official or public capacity.

FORM OF WARRANT.

30. Every warrant under Section 81 shall be in the form given below

FORM OF WARRANT.

(Here insert the name of the Officer charged with the execution of the warrant).

Whereas A.B., of has not paid, and has not shown satisfactory cause for the non-payment of, the sum of Rs.....due on account of the items and periods mentioned in the margin;

And whereas fifteen days have elapsed since the service on him of notice of demand for the same;

This is to command you to distrain, subject to the provisions of sections 82 to 84 of the Mysore District Boards' Regulation, the goods and chattles of the said A.B. to the amount of.....being the amount due from him, as follows:—

	Rs.	a.	p.
on account of			
For service of notice.....			

and forthwith to certify to me together with this warrant all particulars of the goods seized by you thereunder.

Dated this day of 19 .

Designation.

REMUNERATION AND ALLOWANCES.

31. No member of a District Board shall be entitled to any salary by virtue of his office.

32. The District Board may grant such monthly conveyance allowance as may be fixed by the Board with the snction of the Government.—

(a) not exceeding Rs. 100 to a non-official President;

(b) not exceeding Rs. 50 to a non-official Vice-President, if any, when the Board has not appointed a Chief Officer under Section 88 of the Regulation.

33. Officers and servants of a District Board who are in receipt of regular salary will be entitled to travelling allowance at rates fixed in the Mysore Service Regulations for officers of corresponding grade in the Government service.

34. Subject to provisions of rules 35 to 37, non-official Presidents and Vice-Presidents and other non-official members of the District Boards or committees shall be entitled to receive from the District Fund, travelling allowances at rates not exceeding those specified below:—

Non-official President or Vice-President.	Daily allowance	Rs. 4 a day.
	Journey by road	As. 6 per mile.
	Journey by Railway	One and a half times the first class fare.
Other non-official members.	Daily allowance	Re. 1 a day.
	Journey by road	As. 4 a mile.
	Journey by Railway	Double second class fare.

35. No travelling allowance is admissible to a President or Vice-President for ordinarily attending the District Board Office at the District Head-quarters.

36. No travelling allowance is admissible to any member who does not travel more than five miles from and to his place of residence.

37. No daily allowance can be claimed for the day on which travelling allowance for journeys by road or railway are claimed.

By Order,

B. NAGAPPA,
Secretary to Government,
Local and Legislative Departments.

(2) No resolution shall be submitted in regard to any of the following matters, namely;

(*a*) a matter under adjudication by a Court of law having jurisdiction in any part of Mysore,

(*b*) a measure relating to or affecting,

(1) the Ruling Family of Mysore;

(2) the relations of His Highness the Maharaja with the Paramount Power or with foreign Princes of States,

(3) matters governed by treaties or conventions or agreements now in force or hereafter to be made by His Highness the Maharaja with the Paramount Power, or

(4) such other matters as may, from time to time, be specially excluded by order of the Government.

.. Every resolution shall be submitted to Government after discussion at a quarterly meeting of the District Board.

8. A member who wishes to move a resolution shall give notice in writing to the President at least 21 clear days before the meeting of the Board at which he desires to move the same and shall together with the notice, submit a copy of the resolution which he wishes to move.

9. The President shall place before the Board every resolution of which notice has been given to him in accordance with rule 8. The Board may select the resolutions to be considered at the meeting and every resolution not considered at the meeting shall be deemed to have lapsed.

EXECUTION OF PUBLIC WORKS.

10. All public works should, as far as possible, be carried out by contract.

11. No work shall be undertaken until plans and estimates have been prepared and sanction obtained from the proper authority, and no work shall be commenced in any year unless provision is made for it in the sanctioned budget of the year, except in cases of works whose cost does not exceed Rs. 250.

12. The District Board may sanction estimates for all repair works, and for all original works not exceeding Rs. 5,000 provided that;

(*a*) in the case of original works exceeding Rs. 500 but not exceeding Rs. 2,500 the Engineer, if any, employed by the Board or the Executive Engineer of the District shall have scrutinised the estimate, and

(*b*) in the case of original works exceeding Rs. 2,500 the estimate shall have been scrutinised by the Chief Engineer.

13. The District Board shall submit, in duplicate, the plans and estimates for original works costing more than Rs. 5,000 to Government for sanction, through the Chief Engineer.

14. Notwithstanding anything contained in Rule 13, excess expenditure up to a limit of 5 per cent under each item of the estimate or under the total amount of the estimate may be incurred by the District Board.

15. To facilitate the preparation of estimates, a schedule of rates for each kind of work commonly executed shall be kept in the office of the District Board and the schedule should be passed at a meeting of the District Board and kept by the Board corrected up-to-date. The scheduled rates should not exceed the rate prescribed from time to time by the Public Works Department, for the district.

16. A revised estimate shall be prepared and submitted for the sanction of the competent authority when there is a likelihood of the estimate being exceeded either from the rates being found insufficient or for any other cause whatsoever. Provided that in cases where the excess is within a limit of 5 per cent referred to in rule 14, the preparation of a revised estimate is not necessary.

17. Works for which estimates have been sanctioned in one year may be carried out in the following year without further sanction.

18. The sanction accorded to an estimate for any work shall lapse if the work is not commenced within two years from the date of sanction.

19. For District Fund Works carried out by the Public Works Department charges for supervision and tools and plant shall be recovered from the District Board concerned at the following rates:—

(1) For supervision on the work	17½ per cent	on the outlay
(2) For tools and plant	½ do	work

TRANSFER OF PROPERTIES.

20. Every transfer of immovable property vested in a Board shall be made by an instrument under the common seal, signed by the President and by two of the members of the Board, and the fact that the transfer is signed with the sanction of the Government shall be distinctly expressed.

CONTRACTS.

21. Before any contract for the supply of materials or for the execution of any works, the cost of which is estimated to exceed Rs. 1,000 is entered into by the District Board, tenders shall be invited by advertisement in at least one of the local newspapers, if any, and in such other manner as the Board thinks fit, from persons willing to enter into such contract.

22. The District Board shall not bind itself, and shall not be bound, to accept the lowest of any tenders.

BYE-LAWS.

23. Every draft bye-law together with a notice specifying that the draft will be taken into consideration on or after a specified date which shall not be within a period of 45 days from the date of the notice, shall be published in English and Kannada in the *Mysore Gazette* and copy thereof shall be affixed in the District Board Office and in the Taluk and Sub-Taluk offices in the district and in such other places as shall, in the opinion of the Board, be sufficient, for the information of persons likely to be affected thereby.

24. The District Board shall receive and consider any objection or suggestion with respect to the draft which may be made in writing by any person before the date so specified.

25. Every draft of the bye-law shall, when it is submitted to Government, be accompanied by a copy of the notice published and of every objection or suggestion received under rule 24 along with a statement showing fully the grounds on which it is proposed, and the evil which it is intended to remedy.

26. The Government may sanction any such bye-law which such modifications as may be deemed fit.

27. The Government may at any time cancel or wi
and thereupon the bye-law shall cease to have effect.

28. As soon as a bye-law is sanctioned it shall be published in the manner prescribed in rule 23 and the bye-laws for the time being in force, shall be kept open for public inspection at the District Board Office during office hours and printed copies thereof in Kannada and English shall be kept for sale at cost price.

FORM OF NOTICE OF DEMAND.

29. Every notice under Section 80 shall be in the form given below:

FORM OF NOTICE OF DEMAND.

To

A. B.,.....residing at.....
.....

Take notice that the District Board of .....demands from you the sum of Rs.....on account of

(Here describe the property or other subject in respect of which and the period for which the amount is leviable) and that if, within fifteen days from the the service of this notice, the said sum is not paid into the.....Office or sufficient cause for non-payment is not shown to the satisfaction of the.....a warrant of distress will be issued for the recovery of the same with cost.

Dated this..... .....day of.....19

Designation.